

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JAMES M. SEBASTIAN, SR.

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Plaintiff

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CIVIL ACTION NO. _____
(Consolidation of Civil Action No. 02-3743
and Civil Action No. 02-3745)

v.

JAMES M. SEBASTIAN, JR.

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Defendant

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MOTION TO CONSOLIDATE PURSUANT TO FED. R. CIV. P 42

Defendant James M. Sebastian, Jr., by his undersigned counsel, hereby moves, pursuant to Fed. R. Civ. P. 42, to consolidate the following cases pending before this Court:

1. *James M. Sebastian, Sr. v. James M. Sebastian, Jr.*, Civil Action No.: 02-3743, removed from the Chester County Court of Common Pleas on June 12, 2002; and
2. *James M. Sebastian, Sr. v. James M. Sebastian, Jr.*, Civil Action No.: 02-3745, removed from the Chester County Court of Common Pleas on June 12, 2002.

The grounds in support of this Motion are stated in the accompanying Memorandum in Support.

Respectfully submitted,

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Attorneys for Defendant James M. Sebastian, Jr.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of September, 2002, a copy of the foregoing Motion to Consolidate Pursuant to Fed. R. Civ. P 42 was mailed, first-class postage prepaid, to:

Peter J. McHugh, Esquire
Brown, Mayhart, Martin & Schindler
128 Commons Court
Commons at Chadds Ford
P.O. Box 1539
Chadds Ford, PA 19317

Eric M. Veit